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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,442	07/07/2003	Elwood Ranck Webster	83574	3477

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CHINA LAKE, CA 93555-6100

EXAMINER
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OLSON, LARS A

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*corrected*  
**Notice of Allowability**

Application No.

10/617,442

Examiner

Lars A Olson

Applicant(s)

WEBSTER, ELWOOD RANCK

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 8-21.
3. ☒ The drawings filed on 07 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient:
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. On line 1 of Claim 8, the phrase "A biasing device for a scuttle lid safety brace assembly comprising:" has been deleted and replaced with the phrase "A safety brace and biasing device for a scuttle lid comprising:" in order to correct a lack of antecedent basis problem with "the safety brace" as stated in line 2 of the claim.

### **Reasons for Allowance**

3. Claims 1-7 have been canceled.
  4. Claims 8-21 are allowed.
  5. The following is an examiner's statement of reasons for allowance. The biasing device for a scuttle lid safety brace assembly as claimed is not shown or suggested in the prior art because of the use of a biasing device that is comprised of a spring with first, second and third sections that is mounted on a safety brace, said safety brace having a plurality of linkages that are hingedly coupled to one another, where said first section of said spring has an elongated first leg that is configured to exert a first force on a scuttle lid, said first section is fixed to said second section of said spring, said second section having a plurality of coils that are configured to slidingly fit upon a hinge means
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that operably couples said safety brace to said scuttle lid, said coils are coupled by an intermediate member that is fixed to each of said coils and configured to exert a second force on said safety brace linkages, said second section is fixed to said third section of said spring, said third section having an elongated second leg that is configured to exert a third force on said scuttle lid, and said legs and said intermediate member apply said forces to rotatively bias said linkages of said safety brace against said scuttle lid, said linkages being biased to remain folded in a direction to prevent said scuttle lid from closing. The prior art also does not show or suggest the use of a method for rotatively biasing a safety brace on a scuttle lid, said method being comprised of the steps of providing a scuttle lid having a safety brace that is operably coupled by a hinge pin, providing a biasing device that is comprised of a spring with first, second and third sections, removing said hinge pin that couples said safety brace to said scuttle lid, providing a hinging means that is configured to slide within a plurality of coils of said spring, and to rotatively bias said safety brace against said scuttle lid, replacing said hinge pin with said hinging means, and positioning said hinging means within said coils of said spring so that said spring is operably coupled to said brace and to said scuttle lid in order to prevent said scuttle lid from closing.

6. The prior art as disclosed by Dean (US 5,394,650) shows the use of a torsion spring device with first, second and third sections, where said first section is comprised of an elongated first leg that is configured to exert a force against a surface, said first section is fixed to said second section, said second section is comprised of a plurality of coils that are configured to fit around an object, said plurality of coils being coupled by

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an intermediate member that is fixed to each of said coils and configured to exert a force against a second surface, said third section is fixed to said second section, and said third section is comprised of an elongated second leg that is configured to exert a force against said first surface. However, none of the prior art cited shows or suggests the use of a biasing device for a scuttle lid safety brace assembly, said biasing device being comprised of a spring with first, second and third sections that is mounted on a safety brace, said safety brace having a plurality of linkages that are hingedly coupled to one another, where said first section of said spring has an elongated first leg that is configured to exert a first force on a scuttle lid, said first section is fixed to said second section of said spring, said second section having a plurality of coils that are configured to slidably fit upon a hinge means that operably couples said safety brace to said scuttle lid, said coils are coupled by an intermediate member that is fixed to each of said coils and configured to exert a second force on said safety brace linkages, said second section is fixed to said third section of said spring, said third section having an elongated second leg that is configured to exert a third force on said scuttle lid, and said legs and said intermediate member apply said forces to rotatively bias said linkages of said safety brace against said scuttle lid, said linkages being biased to remain folded in a direction to prevent said scuttle lid from closing. The prior art also does not show or suggest the use of a method for rotatively biasing a safety brace on a scuttle lid, said method being comprised of the steps of providing a scuttle lid having a safety brace that is operably coupled by a hinge pin, providing a biasing device that is comprised of a spring with first, second and third sections, removing said hinge pin that couples said

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safety brace to said scuttle lid, providing a hinging means that is configured to slide within a plurality of coils of said spring, and to rotatively bias said safety brace against said scuttle lid, replacing said hinge pin with said hinging means, and positioning said hinging means within said coils of said spring so that said spring is operably coupled to said brace and to said scuttle lid in order to prevent said scuttle lid from closing.

### **Conclusion**

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

lo

April 25, 2005

**LARS A. OLSON**  
**PRIMARY EXAMINER**

*Lars Olson*  
4/25/05